

lysing ~~the~~ said [material] bacteriophage to form a [cell lysate] solution comprising protein, membrane, bacterial DNA and low molecular weight nucleic acids and resuspending the beads,

precipitating out of solution the protein, membrane and the bacterial chromosomal DNA whereby the precipitate becomes non-specifically associated with the beads, and recovering the supernatant liquid containing the low molecular weight nucleic acids.

Claim 17 (Amended). The method as claimed in any one of claims 14, 15 and <sup>21</sup>16, wherein the beads have been pre-treated with a phosphate solution to reduce the tendency of the beads to bind to a nucleic acid.

Claim 18, cancel without prejudice to the subject matter thereof.

Claims 19 and 20, cancel without prejudice to the filing of a divisional application therefor.

#### R E M A R K S

Favorable reconsideration is respectfully requested.

Upon entry of the above amendment, the claims will be 3, 9, 10 and 13-17.

The above amendment is responsive to points set forth in the Official Action.

With regard to Official Action paragraph 2, non-elected claims 19 and 20 have been canceled.

With regard to Official Action paragraph 4, claims 3, 9 and 10 have been objected to as being dependent on canceled claims.

This rejection is respectfully traversed.

With regard to claim 3, it is only dependent on claim